

Remarks/Arguments:

Claims 4-18 are pending in the above-identified application. By the present Amendment, claims 1-3 are cancelled, claims 4-7, 9-11, and 13-16 are amended, and new claims 17 and 18 are presented for consideration.

Objections to the Drawings

The drawings are objected to for including reference characters not recited in the description, namely the "S15", "S16", and "S17" illustrated in Fig. 3. By the present Amendment, Applicant amends the description of Fig. 3 found on page 7, lines 7-15 of the originally filed Application to include the reference characters (S15, S16, and S17) found in Fig. 3. Basis for the amendments is found in Fig. 3 as originally filed. Withdrawal of the objections and favorable reconsideration are respectfully requested.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 3-16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Office Action on page 3, Item 6, identifies various terms that it asserts are indefinite. In particular, the Office Action objects to the recitation of "entered" in claim 3. By the present Amendment, claim 3 is cancelled. Additionally, the Office Action objects to various other recitations found in claims 4, 5 and 9. By the present Amendment, Applicant amends the claims to change the recitations indicated on page 3, item 6, of the Office Action. Withdrawal of the rejections and favorable reconsideration and allowance of these claims are respectfully requested.

Claim Rejections Under 35 U.S.C. § 101

Claims 15 and 16 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Office Action disapproves of the recitations of "computer program product" in the claims and suggests changing these recitations to "a computer executable program tangibly embodied on a computer readable medium." (See Office Action, Page 3, Item 8) By the present Amendment, Applicant makes the changes to claims 15 and 16 suggested in the Office Action at page 3, Item 8. Withdrawal of the rejections and favorable reconsideration and allowance of these claims are respectfully requested.

Claim Rejections Under 35 U.S.C. § 102(b)

Pending claims 4-16 are rejected under 35 U.S.C. § 102(b) for allegedly anticipated by U.S. Patent No. 6,138,106 to Walker et al. ("Walker"). To expedite prosecution, Applicant amends claims 4-7, 9-11 and 13-16 by the present Amendment. It is respectfully submitted that, for the reasons set forth below, Walker does not disclose or suggest all of the features of the pending claims.

In particular, Walker does not disclose or suggest the following features of amended claim 4:

a display unit for displaying a screen used for inputting data required for issuance of a gift certificate, the data comprising a using condition that specifies whether the gift certificate may be redeemed for an item selected by a redeemer of the gift certificate . . .

These features are found in the originally filed application at page 5, line 19 through page 6, line 5. No new matter has been added.

Walker discloses a system 10 for generating "concealed value gift certificates" and for redeeming such certificates for products and gifts having "concealed prices." (See Col. 3, lines 47-61.) System 10 comprises a central controller 12 and a plurality of buyer/redeemer interfaces 14, 16 and 18. (See Col. 3, lines 62-64.)

Fig. 7A of Walker illustrates a process 110 by which a buyer purchases a gift certificate having a gift code. (See Col. 6, lines 22-25.) Generally, process 110 involves the buyer of the gift certificate providing central controller 12 with the buyer's identity, method of payment, and indication of the value of the gift certificate. (See Col. 6, lines 43-58.) Central controller 12 generates a gift certificate code and stores the gift certificate code and the buyer's name, method of payment, and gift certificate value within appropriate databases. (See Col. 6, lines 43-52 and Col. 6, line 65 through Col. 7, line 5.) The buyer is provided with the gift certificate code. (See Col. 7, lines 50-53 and Col. 7, line 65 through Col. 8, line 1.)

Fig. 8 of Walker generally illustrates a process for redeeming gift certificates. (See Col. 8, lines 38-39.) A redeemer of a gift certificate provides the gift certificate code of the gift certificate to a central controller 12. (See Col. 8, lines 38-42.) Controller 12 responds by providing the redeemer with a list of merchandise having values less than or equal to the

hidden face value of the gift certificate. (See Col. 9, lines 5-15 and 25-28.) The redeemer is not aware of the face value of the gift card nor the prices of the products that may be purchased with the gift card. (See Col. 8, lines 49-51 and Col. 9, lines 22-24.) After the redeemer selects a product, the original buyer of the gift card is charged for the redeemer's selection, if the gift certificate is a post-paid gift certificate. (See Col. 7, line 59 through Col. 8, line 7 and Col. 8, lines 62-64.)

The above-quoted feature of claim 4 recites that the "using condition" is a condition that "specifies whether the gift certificate may be redeemed for an item selected by a redeemer of the gift certificate." In other words, the "using condition" is a limitation on redemption of a gift certificate **for an item already selected by a redeemer**. (See also Application page 9, lines 2-10). The Office Action appears to assert that Walker discloses a "using condition," but Applicant notes that the portion cited by the Office Action (Walker, Col. 10, line 67 through Col. 11, line 4) describes that the conditions set by the buyer of the gift certificate for redemption of the gift certificate described therein are used to determine **what items are made available for selection** by the redeemer upon redemption of the gift certificate. In other words, in Walker, the gift certificate is used to determine what items may be presented to a redeemer for selection for redemption, but in the above-quoted portion of claim 4, the gift certificate is used to determine whether a redeemer may receive an item he has already selected. Thus, Walker presents a redemption condition **prior** to user selection, and the above-quoted portion of claim 4 recites a redemption condition **following** user selection. Accordingly, for the foregoing reasons, Applicant respectfully asserts that Walker does not disclose or suggest the above-quoted features of claim 4. Withdrawal of the rejection and reconsideration and allowance of the claim are respectfully requested.

Claims 5-8 depend from claim 4 and therefore include all of the limitations thereof. Therefore, for at least the same reasons as discussed above for claim 4, Applicant asserts that Walker does not disclose or suggest all of the features of these claims. Withdrawal of the rejections and favorable reconsideration and allowance of the claims are respectfully requested.

Claims 9, 13, 14, 15, and 16 include similar recitations to the above-quoted portion of claim 4. Accordingly, these claims and claims 10-12 which depend from claim 9 are patentable over Walker for at least the same reasons as discussed above for claim 4. Withdrawal of the rejections and favorable reconsideration and allowance of these claims are respectfully requested.

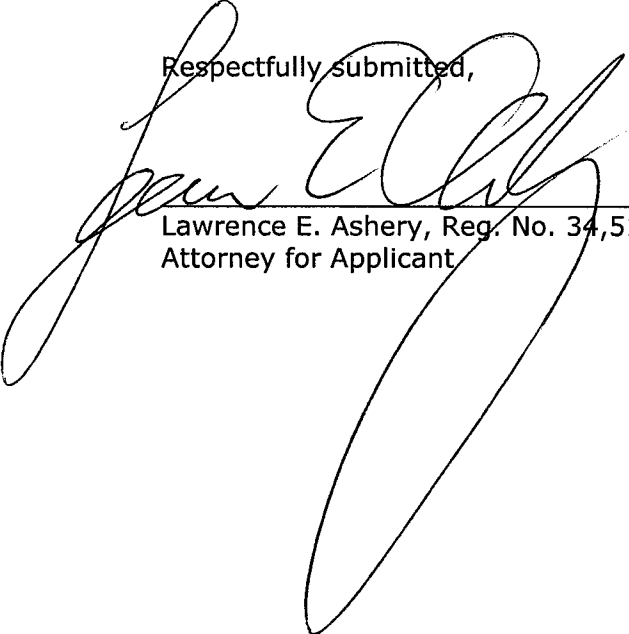
New Claims 17 and 18

By the present Amendment, Applicant submits new claims 17 and 18 for consideration. New claims 17 and 18 include features from respective claims 6 and 10, which features are deleted from claims 6 and 10 by the present Amendment to improve the clarity of the claims. Because claims 17 and 18 depend from respective claims 6 and 10, they are patentable over Walker for at least the same reasons as discussed above for claims 6 and 10. Favorable consideration is respectfully requested.

Conclusion

In light of the foregoing amendments and remarks, Applicant respectfully asserts that the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,


Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicant

PZ/dmw

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P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

241203